

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

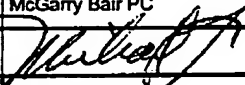
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                      |                        |  |
|--|----------------------|------------------------|--|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/604,008             | <b>RECEIVED<br/>CENTRAL FAX CENTER</b><br><br><b>JUN 06 2005</b> |
|  | Filing Date          | June 20, 2003          |  |
|  | First Named Inventor | Steven J. Berry        |  |
|  | Art Unit             | 3632                   |  |
|  | Examiner Name        | Amy J. Sterling        |  |
| Total Number of Pages in This Submission   | 31                   | Attorney Docket Number | 71501-0002   |


| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Corrected Appeal Brief |
| Remarks <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>  |  |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | McGarry Bair PC   |          |        |
| Signature    |  |          |        |
| Printed name | Michael F. Kelly  |          |        |
| Date         | June 6, 2005  | Reg. No. | 50,859 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |      |              |
|-----------------------|---|------|--------------|
| Signature             |  |      |              |
| Typed or printed name | Rebecca L. Shilt  | Date | June 6, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Serial No. 10/604,008  
Filed: June 20, 2003  
Page 1 of 2

Examiner: Amy J. Sterling  
Group Art Unit: 3632

**RECEIVED  
CENTRAL FAX CENTER**

**JUN 06 2005**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: STEVEN J. AND MARIANNE E. BERRY  
For: GAS CYLINDER BASE  
Serial No.: 10/604,008 Examiner: Amy J. Sterling  
Filed: June 20, 2003 Group Art Unit: 3632  
Atty. Docket: 71501-0002 Confirmation No.: 1007

| CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))  |  |
|--|--|
| I hereby certify that this correspondence is, on the date shown below, being:  |  |
| <input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450. | <input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office, to Examiner <u>Amy J. Sterling</u> at <u>703-872-9308</u> |
| Date: <u>June 6, 2005</u>  | <u>Rebecca L. Shilt</u><br>Signature<br><u>Rebecca L. Shilt</u><br>(type or print name of person certifying)   |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

In response to the Office communication mailed May 31, 2005, attached is a corrected Appeal Brief in compliance with 37 CFR 41.37.

Serial No. 10/604,008  
Filed: June 20, 2003  
Page 2 of 2

Examiner: Amy J. Sterling  
Group Art Unit: 3632

Early consideration of the corrected Appeal Brief is respectfully requested.

Respectfully submitted,

STEVEN J. AND MARIANNE E. BERRY

Dated: June 6, 2005 By: 

Michael F. Kelly, Reg. No. 50,859  
McGARRY BAIR PC  
171 Monroe Avenue, NW, Suite 600  
Grand Rapids, Michigan 49503  
616-742-3500

G0171793